

AMENDED IN SENATE MAY 1, 2012
AMENDED IN SENATE APRIL 12, 2012

SENATE BILL

No. 1174

**Introduced by Senator Walters
(Coauthor: Senator La Malfa)**

February 22, 2012

An act to amend Section 35401.5 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 1174, as amended, Walters. Vehicles: length limitations: motorsports.

Existing law generally prohibits a vehicle from exceeding a length of 40 feet, and a combination of vehicles from exceeding a total length of 65 feet, with various specific exceptions. Existing law authorizes the Department of Transportation or local authorities, with regard to highways under their respective jurisdiction, to issue a special permit authorizing the operation of a combination of vehicles consisting of a truck tractor semitrailer combination with a maximum length from kingpin to rearmost axle measurement of not more than 46 feet, if the trailers are used exclusively or primarily in connection with motorsports, as defined.

This bill would ~~instead exempt~~ *revise the above provisions to allow the issuance of a special permit authorizing* a combination of vehicles consisting of ~~a truck tractor and semitrailer, or of a truck tractor, semitrailer, and trailer, from specified length limitations if the distance from the kingpin to the rearmost axle of the semitrailer or trailer does not exceed 46 feet, the overall length of the semitrailer or trailer is 56 feet or less, and the semitrailer or trailer is truck tractor-semitrailer~~

combination with a kingpin to rearmost axle measurement limit of not more than 46 feet and semitrailer length of not more than 56 feet for semitrailers used exclusively or primarily in connection with motorsports, as defined.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 35401.5 of the Vehicle Code is amended
2 to read:

3 35401.5. (a) A combination of vehicles consisting of a truck
4 tractor and semitrailer, or of a truck tractor, semitrailer, and trailer,
5 is not subject to the limitations of Sections 35400 and 35401, when
6 operating on the Dwight D. Eisenhower National System of
7 Interstate and Defense Highways or when using those portions of
8 federal-aid primary system highways that have been qualified by
9 the United States Secretary of Transportation for that use, or when
10 using routes appropriately identified by the Department of
11 Transportation or local authorities as provided in subdivision (c)
12 or (d), if all of the following conditions are met:

13 (1) The length of the semitrailer in exclusive combination with
14 a truck tractor does not exceed 48 feet. A semitrailer not more than
15 53 feet in length shall satisfy this requirement when configured
16 with two or more rear axles, the rearmost of which is located 40
17 feet or less from the kingpin or when configured with a single axle
18 which is located 38 feet or less from the kingpin. For purposes of
19 this paragraph, a motortruck used in combination with a semitrailer,
20 when that combination of vehicles is engaged solely in the
21 transportation of motor vehicles, camper units, or boats, is
22 considered to be a truck tractor.

23 (2) Neither the length of the semitrailer nor the length of the
24 trailer when simultaneously in combination with a truck tractor
25 exceeds 28 feet 6 inches.

26 (b) Subdivisions (b), (d), and (e) of Section 35402 do not apply
27 to combinations of vehicles operated subject to the exemptions
28 provided by this section.

29 (c) Combinations of vehicles operated pursuant to subdivision
30 (a) may also use highways not specified in subdivision (a) that
31 provide reasonable access to terminals and facilities for purposes

1 limited to fuel, food, lodging, and repair when that access is
2 consistent with the safe operation of the combinations of vehicles
3 and when the facility is within one road mile of identified points
4 of ingress and egress to or from highways specified in subdivision
5 (a) for use by those combinations of vehicles.

6 (d) The Department of Transportation or local authorities may
7 establish a process whereby access to terminals or services may
8 be applied for upon a route not previously established as an access
9 route. The denial of a request for access to terminals and services
10 shall be only on the basis of safety and an engineering analysis of
11 the proposed access route. If a written request for access has been
12 properly submitted and has not been acted upon within 90 days of
13 receipt by the department or the appropriate local agency, the
14 access shall be deemed automatically approved. Thereafter, the
15 route shall be deemed open for access by all other vehicles of the
16 same type regardless of ownership. In lieu of processing an access
17 application, the Department of Transportation or local authorities
18 with respect to highways under their respective jurisdictions may
19 provide signing, mapping, or a listing of highways as necessary
20 to indicate the use of specific routes as terminal access routes. For
21 purposes of this subdivision, “terminal” means either of the
22 following:

23 (1) A facility where freight originates, terminates, or is handled
24 in the transportation process.

25 (2) A facility where a motor carrier maintains operating
26 facilities.

27 (e) Nothing in subdivision (c) or (d) authorizes state or local
28 agencies to require permits of terminal operators or to charge
29 terminal operators fees for the purpose of attaining access for
30 vehicles described in this section.

31 (f) Notwithstanding subdivision (d), the limitations of access
32 specified in that subdivision do not apply to licensed carriers of
33 household goods when directly enroute to or from a point of
34 loading or unloading of household goods, if travel on highways
35 other than those specified in subdivision (a) is necessary and
36 incidental to the shipment of the household goods.

37 ~~(g) A combination of vehicles consisting of a truck tractor and~~
38 ~~semitrailer, or of a truck tractor, semitrailer, and trailer, is not~~
39 ~~subject to the limitations under Sections 35400 and 35401, if the~~
40 ~~distance from the kingpin to the rearmost axle of the semitrailer~~

~~or trailer does not exceed 46 feet, the overall length of the semitrailer or trailer is 56 feet or less, and the semitrailer or trailer is~~

(g) (1) Notwithstanding Sections 35400 and 35401, the Department of Transportation or local authorities, with regard to the highways under their respective jurisdictions, may, upon application, issue a special permit authorizing the applicant to operate a combination of vehicles consisting of a truck tractor-semitrailer combination with a kingpin to rearmost axle measurement limit of not more than 46 feet and semitrailer length of not more than 56 feet for semitrailers used exclusively or primarily in connection with motorsports. As used in this subdivision, "motorsports" means an event, and all activities leading up to that event, including, but not limited to, administration, testing, practice, promotion, and merchandising, that is sanctioned under the auspices of the member organizations of the Automobile Competition Committee for the United States.

(2) A local authority, as a condition of issuing a special permit under this subdivision, may establish reasonable controls on the allowable hours of operation of those semitrailers that are authorized to operate under this subdivision.

(h) The Legislature finds and declares both of the following:

(1) In authorizing the use of 53-foot semitrailers, it is the intent of the Legislature to conform with Section 31111(b)(1)(C) of Title 49 of the United States Code by permitting the continued use of semitrailers of the dimensions as those that were in actual and legal use on December 1, 1982, and does not intend this action to be a precedent for future increases in the parameters of any of those vehicles that would adversely affect the turning maneuverability of vehicle combinations.

~~(2) In exempting semitrailers and trailers used exclusively or primarily for motorsports from limitations on the length of semitrailers and trailers, it~~ *In authorizing the department to issue special transportation permits for motorsports, it* is the intent of the Legislature to conform with Section 31111(b)(1)(F) of Title 49 of the United States Code. It is also the intent of the Legislature that this action not be a precedent ~~for future~~ *for future* increases in the distance from the kingpin to the rearmost axle of semitrailers

- 1 and trailers that would adversely affect the turning maneuverability
- 2 of vehicle combinations.

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